

Attorney Docket: 030353
U.S. Application No. 10/720,587 Examiner SIKRI Art Unit 2109
Response to January 29, 2008 Office Action

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REMARKS

APR 25 2008

In response to the Office Action dated January 29, 2008, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 1-20 are pending in this application.

Objection to Claim 15

The Office objected to the preamble of independent claim 15. The preamble has been amended to recite a “*computer program product comprising a computer readable medium storing processor-executable instructions for performing a method.*” Support may be found in the as-filed application at paragraphs [0016] and [0035].

Rejection of Claims 1-20 under § 112

The Office rejected claims 1-20 under 35 U.S.C. § 112, first paragraph, for allegedly failing the written description requirement. “To comply with the written description requirement ..., each claim limitation must be expressly, implicitly, or inherently supported in the originally filed disclosure.” Department of Commerce, Manual of Patent Examining Procedure § 2163 (II) (3) (b) (Rev. 1, Feb. 2003) (hereinafter “M.P.E.P.”).

The Office, in particular, asserts that some features recited by independent claims 1, 14, and 15 lack support. The Office also asserts that dependent claims 2, 4, 5, and 11 lack support. The Assignee respectfully disagrees, and the Assignee strongly asserts that the written description requirement is completely satisfied. The Assignee cites the below passages to show that the claimed features are fully supported by the specification.

The as-filed specification, for example, fully supports “*interrogation*” of other service providers. Independent claims 1, 14, and 15 similarly recite “*when a subcontracted processing service is required, interrogating the different service provider to fulfill the subcontracted*

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processing service." Paragraphs [0025] through [0027] of the as-filed specification, for example, discuss interrogations and sub-contracting of processing services to other service providers. The Assignee thus respectfully asserts that these claimed features are fully supported by the specification.

Subcontracting of processing services is also supported by other passages. Independent claims 1, 14, and 15 similarly recite "*grouping together individual packets of data as a segment, each of the individual packets of data in the segment requiring the subcontracted processing service,*" "*dispersing the segment to the different service provider for fulfillment of the subcontracted processing service,*" and "*receiving a result of the subcontracted processing service from the different service provider.*" Support for such features may be found at least at paragraphs [0023] and [0024] of United States Application No. 10/720,941 (Attorney Docket 030006), which is incorporated by reference. The Assignee thus respectfully asserts that these claimed features are fully supported by the specification.

The as-filed specification also fully supports a "best-value scenario." Independent claims 1, 14, and 15 similarly recite "*ascertaining a best-value scenario that maximizes profitability for the service provider, the best-value scenario comprising at least one of segmentation, dispersion, assemblage, and routing of electronic data to fulfill the request.*" Paragraph [0029] of the as-filed specification, for example, discusses the "best-value scenario." The Assignee thus respectfully asserts that these claimed features are fully supported by the specification.

Dependent claim 2 is also fully supported. Dependent claim 2 recites "determining a subcontracted color correction service is required for the individual packets, and wherein grouping together the individual packets comprises grouping together the individual packets requiring the subcontracted color correction service offered by the different service provider, and wherein receiving the result comprises receiving the result of the subcontracted color correction service." Support for such features may be found at least at paragraph [0023] of United States Application No. 10/720,941 (Attorney Docket 030006), which is incorporated by

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reference. The Assignee thus respectfully asserts that claim 2 is fully supported by the specification.

Dependent claim 4 is also fully supported. Dependent claim 4 recites "*subcontracting the subcontracted processing service to the different service provider.*" Paragraphs [0025] through [0027] of the as-filed specification discuss sub-contracting of processing services to different service providers. The Assignee thus respectfully asserts that claim 4 is fully supported by the specification.

Dependent claim 5 is also fully supported. Dependent claim 5 recites "*grouping together the individual packets that require a subcontracted scaling service offered by the different service provider, and wherein receiving the result comprises receiving the result of the subcontracted scaling service.*" Support for such features may be found at least at paragraph [0023] of United States Application No. 10/720,941 (Attorney Docket 030006), which is incorporated by reference. The Assignee thus respectfully asserts that claim 5 is fully supported by the specification.

Dependent claim 11 is also fully supported. Dependent claim 11 recites "*sending a reservation to reserve a routing path, the reservation including an instruction to only accept the packets of data having recognized header information and packet content, the reservation specifying a window of time within which the packets of data must be received*" and "*when the packets of data arrive outside the window of time, then further comprising queuing the packets of data.*" Paragraph [0031] of the as-filed specification discusses this reservation. The Assignee thus respectfully asserts that claim 11 is fully supported by the specification.

If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or scott@scottzimmerman.com.

Respectfully submitted,

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